

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LUTHER H. STEWART,

Plaintiff,

vs.

Civil Action 2:11-CV-275
Judge Frost
Magistrate Judge King

MELVIN D. LEPLEY,

Defendant.

ORDER

On March 31, 2011, the United States Magistrate Judge recommended that this action be dismissed for lack of subject matter jurisdiction. *Order and Report and Recommendation*, Doc. No. 2. Although plaintiff was advised of his right to object to that recommendation, and of the consequences of his failure to do so, *id.*, there has been no objection.

The recommendation of the Magistrate Judge is therefore **ADOPTED and AFFIRMED**. This action is hereby **DISMISSED** for lack of subject matter jurisdiction.

The Clerk shall enter **FINAL JUDGMENT**.

/s/ Gregory L. Frost
Gregory L. Frost
United States District Judge